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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/046,819	01/17/2002	Takuya Kobayashi	2002_0037A	5356

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EXAMINER

CERVETTI, DAVID GARCIA

ART UNIT

PAPER NUMBER

2136

DATE MAILED: 11/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<p align="center">Office Action Summary</p>	<p>Application No.</p> <p align="center">10/046,819</p>	<p>Applicant(s)</p> <p align="center">KOBAYASHI ET AL.</p>	
	<p>Examiner</p> <p align="center">David G. Cervetti</p>	<p>Art Unit</p> <p align="center">2136</p>	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 46-51 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 46-51 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant's arguments filed September 14, 2006, have been fully considered.
2. Claims 46-51 are pending and have been examined. Claims 1-45 and 52-58 have been cancelled.

Response to Amendment

3. Applicant's arguments with respect to claims 46-51 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. **Claims 46-51 are rejected under 35 U.S.C. 102(b) as being anticipated by Eastlake et al. (NPL "XML-Signature Syntax and processing", hereinafter Eastlake).**

Regarding claim 46, Eastlake teaches a data processor for receiving and processing data to which information for tampering detection is added, said data processor comprising:

- a receiver operable to receive data which includes an authentication information region for including the tampering detection information, a protected data region for including data to be subjected to tampering detection, and an unprotected data region for including data that is not to

- be subjected to tampering detection, wherein the protected data region includes an unprotection list which lists tag names indicating types of the data included in the unprotected data region **(sections 1 and 2)**;
- a protected data authentication unit operable to detect, for the data, which is included in the protected data region and received by said receiver, whether the data included in the protected data region has been tampered with by using the tampering detection information included in the authentication information region **(sections 2 and 3)**; and
 - an unprotected data authentication unit operable to determine the data included in the unprotected data region as being valid when a tag name indicating a type of the data, which is included in the unprotected data region and received by said receiver, coincides with a tag name in the unprotection list which has been confirmed as not having been tampered with by said protected data authentication unit **(sections 4 and 5)**.

Regarding claim 48, Eastlake teaches a data processor structured by a transmitting data processor and a receiving data processor, said transmitting data processor being operable to transfer, to said receiving data processor, data to which information for tampering detection is added,

- wherein said transmitting data processor comprises:
- an unprotection list generation unit operable to generate an unprotection list which lists, by type, data that is not to be subjected to tampering detection **(sections 1 and 2)**;

- a data generation unit operable to generate data to be transmitted by arranging data to be subjected to tampering detection together with the unprotection list in a protected data region, the data that is not to be subjected to tampering detection in an unprotected data region, and the tampering detection information derived based on the data in the protected data region in an authentication information region (**sections 2 and 3**); and
- a transmitter operable to transmit the data generated by said data generation unit; and
- wherein said receiving data processor comprises:
- a receiver operable to receive the data transmitted from said transmitting data processor;
- a protected data authentication unit operable to detect, for the data, which is included in the protected data region and received by said receiver, whether the data in the protected data region has been tampered by using the tampering detection information in the authentication information region (**sections 2 and 3**); and
- an unprotected data authentication unit operable to determine the data included in the unprotected data region as being valid when a tag name indicating a type of the data, which is included in the unprotected data region and received by said receiver, coincides with a tag name in the

unprotection list which has been confirmed as not having been tampered with by said protected data authentication unit **(sections 4 and 5)**.

Regarding claims 47 and 49, Eastlake teaches the data received by said receiver / generated by said data generation unit is hypertext data; and the unprotection list lists, by type, a tag included in the unprotected data region **(sections 2-5)**.

Regarding claim 50, Eastlake teaches a data processing method for receiving and processing data to which information for tampering detection is added, said method comprising:

- receiving data which includes an authentication information region for including the tampering detection information, a protected data region for including data to be subjected to tampering detection, and an unprotected data region for including data that is not to be subjected to tampering detection, the protected data region including an unprotection list which lists tag names indicating types of the data included in the unprotected data region **(sections 1 and 2)**;
- detecting, for the data, which is included in the protected data region and received in said receiving of the data, whether the data included in the protected data region has been tampered with by using the tampering detection information included in the authentication information region **(sections 2 and 3)**; and
- determining the data included in the unprotected data region as being valid when a tag name indicating a type of the data, which is included in

the unprotected data region and received in said receiving of the data, coincides with a tag name in the unprotection list which has been confirmed as not having been tampered with in said detecting whether the data included in the protected data region has been tampered with **(sections 4 and 5)**.

Regarding claim 51, Eastlake teaches a data processing method for transferring data, to which information for tampering detection is added, from a transmitting data processor to a receiving data processor, wherein:

- in the transmitting data processor, said method comprises
 - o generating an unprotection list which lists, by type, data that is not to be subjected to tampering detection,
 - o generating data to be transmitted by arranging data to be subjected to tampering detection together with the unprotection list in a protected data region,
 - o the data that is not to be subjected to tampering detection in an unprotected data region, and the tampering detection information derived based on the data in the protected data region in an authentication information region, and
 - o transmitting the data generated in said generating of the data to be transmitted **(sections 1-3)**; and
- in the receiving data processor, said method comprises
 - o receiving the data transmitted from the transmitting data processor,

- detecting, for the data, which is included in the protected data region and received in said receiving of the data, whether the data in the protected data region has been tampered with by using the tampering detection information in the authentication information region, and
- determining the data included in the unprotected data region as being valid when a tag name indicating a type of the data, which is included in the unprotected data region and received in said receiving of the data, coincides with a tag name in the unprotection list which has been confirmed as not having been tampered with in said detecting whether the data in the protected data region has been tampered with
(sections 3-5).

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David G. Cervetti whose telephone number is (571) 272-5861. The examiner can normally be reached on Monday-Friday 7:00 am - 5:00 pm, off on Wednesday.

8. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser G. Moazzami can be reached on (571) 272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DGC

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11/20/06